



State of New Jersey

Department of Environmental Protection

Land Use Regulation Program

P. O. Box 439, Trenton, NJ 08625-0439

Fax # (609) 777-3656

www.state.nj.us/dep/landuse

James E. McGreevey
Governor

Bradley M. Campbell
Commissioner

Janet Fittipaldi
NJDOT
1035 Parkway Ave.
Trenton, NJ 08625

MAY 01 2003

RE: Authorization for Freshwater Wetlands Statewide General Permit(s)
& Water Quality Certification
File No. 0300-02-0008.1 FWW 020001 (FWW GP 7)
File No. 0300-02-0008.1 FWW 020002 (FWW GP 10B)
File No. 0300-02-0008.1 FWW 020003 (FWW GP 11)
Applicant: NJDOT
Project: Rt. 206 (Section 8), Rt. 68, Old York Rd. & Rising Sun Rd.
Township of Bordentown & Township of Mansfield, Burlington, NJ

Dear Ms. Fittipaldi:

The Land Use Regulation Program has reviewed the referenced application(s) for Statewide General Permit authorization(s) pursuant to the requirements of the Freshwater Wetlands Protection Act Rules at N.J.A.C. 7:7A. The proposed activity authorized by Statewide General Permit No. 7, allows authorized activities in freshwater wetlands that are human-made ditches or in freshwater wetlands that are swales that is not located in a head water. The proposed activity authorized by Statewide General Permit No. 10B, allows authorized activities in freshwater wetlands for minor road crossings. The proposed activity authorized by Statewide General Permit No. 11, allows authorized activities in freshwater wetlands for outfall and intake structures. This letter of authorization to conduct a regulated activity in a wetland or open water includes a Water Quality Certificate for these activities.

Limit of Authorized Disturbance

Freshwater Wetlands Statewide General Permit No. 7 authorizes the maximum disturbance of 0.502 acres of wetlands associated with ditches and swales.

Freshwater Wetlands Statewide General Permit No. 10B authorizes the maximum disturbance of 0.179 acres of wetlands and 0.024 acres of State open waters.

Freshwater Wetlands Statewide General Permit No. 11 authorizes the maximum disturbance of 0.026 acres of wetlands.

The authorized work is shown on 36 sheets entitled, "New Jersey Department of Transportation, Route 206 (1953) and Route 68, Old York Road and Rising Sun Road, Townships of Mansfield and Bordentown, Burlington County", prepared by Goodkind & O'Dea, Inc. dated August 23, 2002.

Statewide General Permit

The authorized activity involves the maximum disturbance of .731 acres of freshwater wetlands and State open waters. Any additional disturbance of freshwater wetlands, State open waters or transition area shall be considered a violation of the Freshwater Wetlands Protection Act unless the activity is exempt or a permit is obtained prior to the start of the disturbance from the Land Use Regulation Program.

Permit Conditions

The activities allowed by this authorization shall comply with the following conditions. Failure to comply with these conditions shall constitute a violation of the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et seq.).

In addition to the above conditions and the conditions noted at N.J.A.C. 7:7A 9.2 and 9.3, the following general conditions must be met for the activity authorized under this Statewide General Permit:

1. The applicant shall maintain all soil erosion and turbidity controls for the life of the project.
2. This permit must be in compliance with Stream Encroachment Permit No. 0300-02-0008.1 FHA 020001, dated December 3, 2002.
3. The authorized Freshwater Wetlands Statewide General Permit(s) authorize a maximum disturbance of .731 acres of freshwater wetlands and State open waters.
4. All disturbed areas should be planted with a mixture of warm and cool seasonal grasses, containing at least 20% warm season grasses. The use of these mixtures will permanently stabilize the soil and enhance the environment.
5. The drainage swale associated with the stormwater outlet to be abandoned and plugged as shown on sheet 16 of 36 must be stabilized to prevent further erosion.

General conditions:

1. All fill and other earth work on the lands encompassed within this permit authorization shall be stabilized in accordance with "Standards for Soil Erosion and Sediment Control in New Jersey" to prevent eroded soil from entering adjacent waterways or wetlands at any time during and subsequent to construction.
2. This permit is revocable in accordance with DEP regulations and State law.
3. The issuance of this permit shall not be deemed to affect in any way other actions by the Department on any future application.
4. The activities shown on the approved plans shall be constructed and/or executed in conformity with any notes and details on said plans and any conditions stipulated herein.
5. No change in plans or specifications shall be made except with the prior written permission of the Department

6. The granting of this authorization shall not be construed to in any way affect the title or ownership of the property, and shall not make the Department or the State a party in any suit or question of ownership of the property.
7. This permit is not valid and no work shall be undertaken pursuant to this authorization until all other required federal, state, and local approvals, licenses and permits necessary for commencement of work onsite have been obtained.
8. A complete, legible copy of this permit shall be kept at the work site and shall be exhibited upon request of any person.
9. The permittee shall allow the Program the right to inspect the construction site and also shall provide the Bureau of Coastal and Land Enforcement, NJDEP with written notification 7 days prior to the start of the authorized work.
10. This authorization is valid for five years from the date of this letter unless more stringent standards are adopted by rule prior to this date.

Transition Area

The wetlands affected by this permit authorization are of Intermediate and ordinary resource value. The standard transition area or buffer required adjacent to intermediate wetlands is 50 feet. There are no buffer or transition areas for ordinary resource value wetlands.

Consistency with the Areawide Water Quality Management Plan

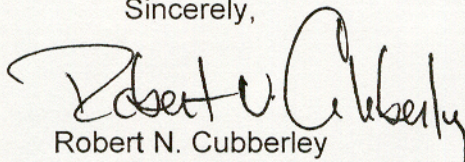
This project has not been reviewed for consistency with the relevant Water Quality Management Plan or the Statewide Water Quality Management Planning Rules (N.J.A.C. 7:15). As such, there is no intended or implied approval regarding additional permits which may be required from the Department. For treatment works approvals, the consistency determination will be performed by the Bureau of Engineering and Permitting (North/South) which may be reached at (609) 292-6894 for North (Middlesex, Hunterdon and counties north) or (609) 633-1169 for South (Mercer, Monmouth and counties south). For general information concerning water quality management planning process, please contact the Office of Environmental Planning at (609) 633-1179.

Appeal of Decision

In accordance with N.J.A.C. 7:7A-12.7, any person who is aggrieved by this decision may request a hearing within 30 days of the decision date by writing to: New Jersey Department of Environmental Protection, Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, P.O. Box 402, Trenton, NJ 08625-0402. This request must include a completed copy of the Administrative Hearing Request Checklist.

If you have any questions regarding this authorization, please contact Charles Welch of my staff by e-mail at charlie.welch@dep.state.nj.us or by phone at (609) 984-0162. Please reference the above file number.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert N. Cubberley". The signature is fluid and cursive, with the first name "Robert" being more legible than the last name "Cubberley".

Robert N. Cubberley
Land Use Regulation Program

cc: Bureau of Enforcement
Municipal Clerk
Municipal Construction Official